

By John H. Hoffelt ¹

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CONNOLLY AND HUTZ

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U.S. APPLICATION NO. 08/945,144 FIRST NAMED APPLICANT LEBRUN ATTY. DOCKET NO. M RP/PCT

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PCT/FR96/01125

I.A. FILING DATE

PRIORITY DATE

07/18/96

07/19/95

DATE MAILED:

11/14/97

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 14021997 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☒ Verified Statement Claiming Small Entity Status:

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are-dup. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (September 1996)

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Paulette K. Adwell
Paralegal Specialist

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MICHAEL LEBRUN ET AL :

SERIAL NO: 08/945,144 :

INTERNATIONAL APPLN: PCT/EP96/01125 :

BOX PCT

INTERNATIONAL FILING DATE: 7/18/96 :

FILED: OCTOBER 14, 1997 :

FOR: MUTATED 5-ENOL PYRUVYLSHIKIMAT-3- :
PHOSPHATE SYNTHASE, GENE CODING FOR SAID
PROTEIN AND TRANSFORMED PLANTS CONTAIN-
ING SAID GENE

.....
Assistant Commissioner for Patents
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF
PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231 ON THIS 5th DAY OF Jan. 1998.
BY: Ann F. Hoffert

**TRANSMITTAL OF INTERNATIONAL PRELIMINARY
EXAMINATION REPORT (ENGLISH TRANSLATION)**

Applicant provides an English translation of the International
Preliminary Examination Report.

If any extension or other fee is required in connection with
this submission, please charge Deposit Account No. 03-2775.

Respectfully submitted,

CONNOLLY & HUTZ

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